

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jose Reyna

PRINCIPAL

United States District Court
Texas

Case Number:

A208 268 122

YOB: 1975

MAY 27 2015

M-15-849 -M

(Name and Address of Defendant)

David J. Bradley, Clerk

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 25, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Estephany Mishell Garcia-Garcia, citizen and national of Guatemala and Rafael Alexander Acosta-Ruiz, citizen and national of Honduras, along with five (5) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Mission, Texas to the point of arrest near Mission, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On May 25, 2015, McAllen Border Patrol Agent M. Renner was observing the main trail that exits into the La Lomita Park from the banks of the Rio Grande River. Agent Renner was able to observed seven (7) subject emerge from the brush and load into a Chevrolet Trailblazer at La Lomita church in Mission, Texas. Agent Renner was able to relay to surrounding agent; the number of subjects as well as a description of the vehicle as it exited the area at a high rate of speed. Agent J. Martinez responded to the area observing the vehicle exiting the park and attempted to conduct a vehicle stop near the intersection of Bryan Road and Old Military.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Francisco Sanchez

Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

May 27, 2015

Date

at McAllen, Texas

City and State

Dorina Ramos

U. S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15-849-M

RE: Jose Reyna

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CONTINUATION:

Upon noticing the responding agents, the vehicle immediately came to a stop and all subjects, including the driver, bailed out attempting to abscond into a nearby corn field. After a short search of the area, agents were able to apprehend all subjects. The driver, identified as Jose REYNA, was determined to be a United States citizen and all the passengers were determined to be illegally present in the United States. All subjects were transported to the McAllen Border Patrol station for processing.

PRINCIPAL STATEMENT:

Jose REYNA was advised of his Miranda Rights. REYNA stated he understood his rights and declined to answer any questions without the presence of a lawyer.

MATERIAL WITNESS STATEMENTS:

GARCIA-Garcia, Estephany Mishell and ACOSTA-Ruiz, Alexander were advised of their Miranda Rights, understood their rights and agreed to answer questions and make a statement without a lawyer present.

#1

Estephany Mishell GARCIA-Garcia, a citizen of Guatemala, stated her father made all her smuggling arrangements in Los Angeles, California with a smuggler known as "El Aguila." She stated she was brought across the river on a small boat by an unknown subject and was instructed to follow the rest of the group. After crossing the Rio Grande River, she states the group then waited for a vehicle to pick them up. Once the vehicle approached the area, she stated the driver instructed them several times to get in the vehicle. Garcia was able to describe the vehicle as a white truck. She stated that shortly after being picked up the driver told them that they were going to get caught. GARCIA was able to identify REYNA, Jose as the driver of the vehicle via photo lineup.

#2

Rafael

Alexander ACOSTA-Ruiz, a citizen of Honduras, stated his family made all of the smuggling arrangements with an unknown smuggler. He stated he was brought across the Rio Grande River on a small boat by an unknown subject. ACOSTA claims they were given instructions over a phone, while in Mexico, to wait for a vehicle. After reaching the pick up location, a the vehicle approached the area and they were instructed to run into the vehicle by the driver. ACOSTA stated that the driver told the group to hurry up and that he (REYNA) could not wait very long. He was able to describe the vehicle as a white Chevrolet Blazer. ACOSTA stated the driver advised the group that a patrol vehicle was behind them and the driver instructed the group to get out and run once REYNA had stopped the vehicle. ACOSTA was able to identify REYNA, Jose as the driver of the vehicle via photo lineup.